

FILED

FEB 17 2016

BOARD OF MASSAGE
AND BODYWORK THERAPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

IN THE MATTER OF THE
LICENSE OF

AMY E. PATUNAS
License # 18KT00861900

TO PRACTICE MASSAGE AND
BODYWORK THERAPY IN THE
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Massage and Bodywork Therapy ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed massage and bodywork therapist in the State of New Jersey.

2. In a letter dated September 8, 2014, sent to respondent's address of record with the Board, respondent was asked for information and documentation concerning an arrest on October 2, 1989 on charges of making a false report, and an arrest on March 24, 2010 on charges of possession of marijuana and of prescription legend drugs. The letter was sent by certified and regular mail. The certified mailing was returned, unclaimed, after notice was left on September 11, 2014. The regular mailing was not returned. No response was received to that letter.

3. On or about November 12, 2015, a follow-up letter was sent to that same address, asking for a complete response to the letter of September 8, 2014, which was enclosed.

4. A response was received, providing information and documentation, and maintaining that she had responded to the September 8, 2014 letter "as this is not something I would [] take lightly [.] Something must have happened to it in the mail[.]" Respondent supplied no proof of any previous mailing.

5. On respondent's application for licensure, submitted in June of 2014, she indicated "N" for "no" in response to questions on the application asking whether she had ever been charged with any crime or offense.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's original inquiry constitutes a failure to cooperate with a Board investigation within the intendment of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

2. Respondent's indication on her application for licensure that she had never been charged with any crime or offense constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 30, 2015, provisionally imposing a reprimand and a \$250 civil penalty.. A copy of the Order was served upon respondent at her address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a

modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

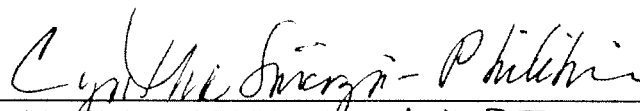
The record reflects that the copy of the Provisional Order sent by certified mail was signed for. The regular mailing was not returned. No response has been received. The Board finds that service has been effected, as the mailings were sent to respondent's address of record with the Board. Moreover, as no discrepancies have been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings are not necessary, and the Provisional Order is to be made final.

... ACCORDINGLY, IT IS on this 17th day of February, 2016,
ORDERED that:

1. A reprimand is hereby imposed upon respondent.
2. A civil penalty in the amount of \$250.00 is hereby imposed on respondent. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and sent to the attention of Laura Anderson, Executive Director, Board of Massage and Bodywork Therapy, P.O. Box 45048, Newark, NJ 07101, twenty one (21) days of the filing of this order.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By:


Cynthia Sinicropi-Philibosian, LMRT
Board Chairperson